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United States Senate

COMMITTEE ON FOREIGN RELATIONS
WASHINGTON, D.C. 20510

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October 9, 1981

The Honorable Alexander M. Haig, Jr.
Secretary of State
Washington, D. C.

Dear Mr. Secretary:

Enclosed are copies of the following resolutions:

S.Res. 221, "Expressing the sense of the Senate with respect to carrying out the proposed sale of certain defense articles and defense services to the Kingdom of Saudi Arabia," submitted by Senator Hayakawa on October 5;

S.Res. 227, "Expressing the sense of the Senate that the United States should take certain actions to assist Israel in the event that the United States provides AWACS to Saudi Arabia," submitted by Senator Pressler on October 7; and

S.Res.228, "Expressing the sense of the Senate respecting the requirement for certain protective terms and conditions as a part of the transfer of the Airborne Warning and Control System (AWACS) from the United States to any foreign country," submitted by Senator Warner on October 7.

The Foreign Relations Committee would appreciate receiving coordinated Executive Branch comments on these resolutions at an early date.

Sincerely,

Charles H. Percy
Chairman

CHP:gke

Enclosures

REVIEWED BY F Smelzer (NSC) DATE 10/10/85
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97TH CONGRESS
1ST SESSION

S. RES. 221

Expressing the sense of the Senate with respect to carrying out the proposed sale of certain defense articles and defense services to the Kingdom of Saudi Arabia.

IN THE SENATE OF THE UNITED STATES

OCTOBER 5 (legislative day, SEPTEMBER 9), 1981

Mr. HAYAKAWA submitted the following resolution; which was referred to the Committee on Foreign Relations

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RESOLUTION

Expressing the sense of the Senate with respect to carrying out the proposed sale of certain defense articles and defense services to the Kingdom of Saudi Arabia.

Whereas the State of Israel is the strongest democratic ally of the United States in the Middle East;

Whereas the Kingdom of Saudi Arabia is a friend and essential partner of the United States; and

Whereas the President has determined that the proposed sale of certain defense articles and defense services to the Kingdom of Saudi Arabia is in the national security interests of the United States: Now, therefore, be it

Resolved, That (a) the Senate finds that the Kingdom of Saudi Arabia—

(1) has conducted an increasingly constructive policy in the Middle East;

(2) has made a major contribution to promoting peace and stability in the Middle East as the Kingdom of Saudi Arabia did by playing a significant role in achieving a cease-fire in Lebanon; and

(3) has taken a first step toward participation in a negotiated peaceful solution in the Middle East by indicating that Arab nations could acknowledge the existence of the State of Israel as part of a general settlement.

(b) It is the sense of the Senate that, sixty days before delivering the first of the airborne warning and control system (AWACS) aircraft or the first of any other defense article proposed for sale to the Kingdom of Saudi Arabia (as described in numbered certifications transmitted to the Congress by the President on September 30, 1981), the President should determine whether or to what extent the Kingdom of Saudi Arabia is continuing the practices and policies described in paragraphs (1) through (3) of subsection (a) and should prepare and transmit a report to the chairman of the Committee on Foreign Relations of the Senate setting forth his determinations.

(c) The Senate hereby expresses its intention to consider and take steps to enact legislation prohibiting the delivery of the defense articles referred to in subsection (b) if the Senate finds that the Kingdom of Saudi Arabia is no longer carrying out the policies and practices described in paragraphs (1) through (3) of subsection (a).

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the President.

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97TH CONGRESS
1ST SESSION

S. RES. 227

Expressing the sense of the Senate that the United States should take certain actions to assist Israel in the event that the United States provides AWACS to Saudi Arabia.

IN THE SENATE OF THE UNITED STATES

OCTOBER 7, 1981

Mr. PRESSLER submitted the following resolution; which was referred to the Committee on Foreign Relations

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RESOLUTION

Expressing the sense of the Senate that the United States should take certain actions to assist Israel in the event that the United States provides AWACS to Saudi Arabia.

Whereas the United States has a vital interest in maintaining the security of Israel; and

Whereas the sale of AWACS to Saudi Arabia would require Israel to divert resources to meet a potential new threat; and

Whereas a rejection of the Saudi AWACS request could jeopardize United States defense plans for the Persian Gulf; and

Whereas the United States has the capacity to help Israel expand its current radar and communications jamming capability: Now, therefore, be it

Resolved, That it is the sense of the Senate that should the United States decide to sell AWACS to Saudi Arabia, the United States shall assist Israel in procuring and financing any additional radar and communications jamming equipment needed to protect Israel against any new threat posed by a Saudi AWACS.

SEC. 2. The clerk of the Senate shall transmit a copy of this resolution to the President.

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97TH CONGRESS
1ST SESSION

S. RES. 228

Expressing the sense of the Senate respecting the requirement for certain protective terms and conditions as a part of the transfer of the airborne warning and control system (AWACS) from the United States to any foreign country.

IN THE SENATE OF THE UNITED STATES

OCTOBER 7, 1981

Mr. WARNER (for himself, Mr. NUNN, Mr. HATCH, Mr. JOHNSTON, Mr. ABDNOR, Mr. BAKER, Mr. HARRY F. BYRD, JR., Mr. DENTON, Mr. EAST, Mr. GARN, Mr. GOLDWATER, Mr. HELMS, Mr. HUDDLESTON, Mr. HUMPHREY, Mr. LAXALT, Mr. LUGAR, Mr. MATHIAS, Mr. MCCLURE, Mr. MURKOWSKI, Mr. NICKLES, Mr. PERCY, Mr. RUDMAN, Mr. SIMPSON, Mr. STAFFORD, Mr. SYMMS, and Mr. THURMOND) submitted the following resolution; which was referred to the Committee on Foreign Relations

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RESOLUTION

Expressing the sense of the Senate respecting the requirement for certain protective terms and conditions as a part of the transfer of the airborne warning and control system (AWACS) from the United States to any foreign country.

Whereas the Government of the United States seeks to foster security cooperation with friendly countries in regions of strategic importance;

Whereas it is in the national interest of the United States to respond to the legitimate defensive requirements of friendly

governments to help them meet challenges to their security and to regional stability;

Whereas it is the goal of United States security assistance to complement United States defense programs in order to enhance the effectiveness of United States military capabilities and to provide tangible military benefits to the United States;

Whereas the security and self-confidence of local states are essential preconditions of lasting peace and stability in a region; and

Whereas it is essential to protect the technological advantages which underpin United States national security and military capabilities: Now, therefore, be it

Resolved, That it is the sense of the Senate that airborne warning and control system (hereafter in this resolution referred to as "AWACS") contains equipment and technology warranting continued protection whenever such system is transferred by the United States to any foreign country, and that, accordingly, the President should transfer such system to another country only upon such terms and conditions consistent with the requirements of the Arms Export Control Act and this resolution to provide adequate continuing protection for the United States equipment and technology to be transferred.

SEC. 2. (a) Any agreement with a foreign country for a transfer by the United States of AWACS to that country shall include all of the requirements specified in the Arms

Export Control Act, and in the standard Letter of Offer and Acceptance, as well as the following terms and conditions:

(1) a prohibition against granting access to AWACS equipment or technology or information derived from the AWACS to any country other than the United States without the consent of the President;

(2) a requirement that the recipient foreign country share continuously and completely with the United States the information it acquires from the use of the AWACS;

(3) adequate and effective procedures to require the screening and security clearance of citizens of the recipient foreign country and assurances that only cleared citizens of that country and cleared nationals of the United States will have access to the AWACS equipment, technology, or information derived therefrom;

(4) appropriate agreements upon the areas in which the AWACS may be operated in order to maintain security and regional stability;

(5) adequate and effective security measures for safeguarding AWACS equipment, technology, and information; and

(6) a requirement that such computer software, as designated by the United States Government, will remain the property of the United States Government.

(b) The Senate intends that, in the event of a breach of any of these contractual provisions, the United States will immediately terminate all support for the AWACS system.

SEC. 3. It is further the sense of the Senate that any foreign country receiving AWACS be one that promotes peace and stability.

SEC. 4. It is the sense of the Senate of the United States that, prior to actual transfer of any part of the AWACS system, the President shall certify to the Committee on Foreign Relations of the Senate that the conditions set forth in this resolution have been met.

SEC. 5. The Secretary of the Senate shall transmit a copy of this resolution to the President.

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